IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

FIRST APPEAL NO.898 OF 2007

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

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Mr.H.V.Mehta for the appellant.

Mr.A.D.Patwardhan for the respondents.

CORAM : ANOOP V. MOHTA,J.

DATED : 29th October, 2007

P.C.

In view of the judgement of the Apex Court reported in **2007 III CLR 267,** ESIC vs. C. C.Santha Kumar, both the parties agree that matter be remanded back on the issue of limitation as after passing the order under section 45-A of the ESI Act, 1948, the limitation prescribed under section 77 of the ESI Act does not get attracted. The matter is therefore remanded only to this limited extent.

Resultantly, the impugned

order dated 24.10.2005 passed by ESI Court, Pune is quashed and set aside. The appeal is disposed of accordingly.

[ANOOP V. MOHTA,J.]